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Rice Board

(Continued from page 1)

matters dealing with employment of the teacher. It is the feeling of this Board that any use of the grievance procedure to secure a so-called hearing in a teacher contract nonrenewal matter is improper and is a wrongful use of the grievance procedure. It is the Board's further position that this requested meeting is an attempt to secure by the grievance procedure what a non-tenured teacher does not have prior to non-renewal and that is a right to a due process hearing with a statement of reasons for non-renewal. The Board has no intention of revoking its earlier action on March 12, 1979, of this year, electing teachers for the 1979-80 school year and further has no intention of reconsidering its action at that Board meeting.

"As an additional reason for stating that the grievance procedures do not apply, I refer to the fact that Mr. Majors has not taken his so-called grievance to the superintendent before coming to this Board. Nevertheless, since the grievance hearing was granted by the Board, we will permit Mr. Majors and his attorney to present whatever they like. In the event Mr. Majors and his attorney would like to withdraw their request for grievance, the Board stands openly and publicly that it will not claim in the future concerning the nonrenewal of Mr. Majors' one-year contract that the grievance proceeding was not followed.

"Finally, before turning the meeting over to Mr. Majors and his attorney, I must state that the Board and the administration will not present anything in connection with this proceeding nor will any reasons be given or stated for the non-renewal of Mr. Majors' one-year contract."

Supt. Questioned

The attorney for Mr. Majors questioned Supt. E. Krivacka repeatedly, asking him to give reasons for not renewing Majors' contract, but

Supt. Krivacka replied each time that it would not be appropriate to cite any reasons at this particular hearing, which was held primarily on the request to the board for reconsideration.

Stone indicated that she would like to question Rice High School Principal Fred Grahmann and Assistant Supt. Charles DeShazo relative to their reasons for recommending that her client not be considered for contract renewal. But she was informed that no notice or summons had been given prior to the meeting that their presence would be necessary; hence they were not available for questioning.

Vote Not To Reconsider

After Attorney Stone had completed her interrogation and comments, the board voted publicly unanimously not to reconsider Mr. Majors' contract, and since this was the sole purpose of the meeting, adjourned the hearing.

Majors was present for the hearing but did not offer comments nor was he asked any questions.

Neither Majors nor his attorney gave any indication that they would appeal the decision of the board not to reconsider the Majors' contract. If they should so decide, the next appeal would be made directly to the Texas Commissioner of Education; if not satisfied there, the appeal could continue to the full State Board of Education; and then, if desired, to District Court.

About twenty interested school teachers and school patrons attended the public grievance hearing.

This is only the second such grievance hearing held by a Rice School Board in the ten years of the district's existence. The other was in 1974 when former Rice High School Coach Bill Appelt requested a hearing after his contract was not renewed. At that meeting, Appelt's attorney asked for an extension of the hearing in order to prepare rebuttals to statements made by school administrators. This request was denied and the matter was not pursued further.

Funds Divided

(Continued from page 1)

2-2 tie but the tie was broken when Judge Cranek voted for the original motion.

Same Problems Elsewhere

In remarks opening the fund distribution issue, Judge Cranek noted that a survey by his office revealed that the eight counties in this area are having similar problems with fund distribution.

He noted that the 1979 budget makes available an estimated \$845,165 for road and bridge purposes. These funds came from: \$104,880 from the 12c tax allocation to Road and Bridge Special, \$131,000 from the 15c allocation to R&B, Class II, \$250,000 from the 30c additional ad valorem tax levy, \$32,250 from the state lateral road fund, \$80,000 from a Contingency Fund, \$60,000 from revenue sharing, \$175,000 from sale of license plates, \$1,935 from collection of delinquent taxes, and \$10,000 from interest earned on funds invested in CD's.

Of the total amount, \$98,390 is allocated to fixed items and salaries in the budget, leaving \$746,775.00 for distribution to the four precincts. An equal one-fourth to each precinct, as supported previously by Stiles and Veselka, could have netted each precinct \$186,693.00.

Judge Cranek proposed that the court determine a "basic cost figure" for precinct operation and put the remainder into a fund to be spent according to needs and priorities. While he suggested the \$150,000 basic allocation to each precinct, he added that this figure was subject to discussion and might be too high or too low.

This method of distribution, he noted further, would do away with a contingency fund which has been used by the court in the past to meet deficiencies or needs in precincts.

Costs Accelerate

Commr. Stiles presented a report citing that due to the heavy truck traffic in his precinct, it costs more to build and maintain roads. He presented figures showing

that in June of 1978 work on FM 949 in Precinct 3 by the Highway Department cost \$91,334 per mile; in Sept. of 1975, work on FM 3013 from Eagle Lake to the Austin county line by the highway department cost \$227,683 but work under way on FM 3013 south from Eagle Lake to the Wharton county line, also by the highway department, is now costing \$442,216 per mile.

Leyendecker countered this by stating that Stiles had more FM roads in his precinct and that it costs less to maintain FM roads than county roads.

Veselka commented that the commissioners should "try to get along. It would be good to have available funds to dip into if needed. I hope I never need to."

Road Mileage Plan

Under the proposal to divide funds according to road mileage, it was noted that 30.76% of the funds available would have gone to precinct 1, 23.5% to precinct 2, 28.4% to precinct 3 and 17.4% to precinct 4.

Stiles questioned as to whose figures would be used, those provided by the commissioners or by the highway department engineers as evidenced in a letter he had presented to the court in a previous discussion, varying considerably from the commissioners' reports.

While Leyendecker and Loessin favored the road mileage plan, they added that they would be willing to consider other factors, such as traffic count, type of traffic, topography, etc.

Judge Cranek stated that he was convinced that the demands are different in each precinct and that there are different demands for funds, but added that these factors could be considered in distribution of the unified fund, or centralized fund. He noted that this would call for more and better management and a closer look at the cash flow in each precinct.

Four Visitors Present

Present for the afternoon session Monday were: Ralph Truly, Dr. J. C. Laughlin, Joe N. Frazier and Kenneth Abel, all of the Eagle Lake area. They were asked to comment on the proposed distribution plan (\$150,000 to each precinct and \$146,000 to the unified fund).

Dr. Laughlin stated that the proposed plan made by the judge, "appears to be a wise one."

Mr. Frazier expressed the opinion that to allocate less than \$150,000 to each precinct would tie the hands of the commissioners and restrict the work that needs to be done. He added, "I don't believe it can be solved in one year's time, but it's a good starting point."

Truly noted that the "taxpayers are getting tired of having the court come up empty-handed on the division issue" and urged all to vote their convictions.

Abel, owner of a trucking company operating from the Matthews area, said, "Don't penalize thrift." He added that he saw merit in the Stiles-Veselka proposal. "More thrifty operation will enable us to survive in light of today's inflation."

He also admitted that the great influx of truckers into the county has created some problems but defended the industry by noting that many jobs have been created and the economy has been boosted. "The trucking industry has realized some of the

Dedication At FPP, Seymour Generating Station July 24

Official dedication of the Fayette Power Project and the Sam K. Seymour, Jr. Generating Station near La Grange will take place July 24, the Lower Colorado River Authority board was told last Thursday.

Gov. Bill Clements and U.S. Rep. J. J. Pickle have been invited to the dedication of the coal-fired electric generating plant, but it is not known if they will attend, LCRA public information director D. Matthews said.

Commercial operation of the \$431 million project, begun in 1975, is scheduled for June 1 on the first unit, with the second unit beginning operation about a year later. Each unit will produce about 550 megawatts.

The LCRA board was told that about 600 invitations for the dedication ceremony will be mailed and the ceremony will not be open to the public. Plant gates will be opened for the public July 28.

The project is jointly owned by the LCRA and the city of Austin.

In other action last Thursday, the board told management to proceed with plans to sign a 25-year lease with the MKT railroad for 23.7 acres in Smithville that is planned to become the site for maintenance of the railroad cars the Fayette project will use to bring coal from Montana and Wyoming.

Charles Herring, general manager of the river authority, said the lease would cost about \$500 a month with a provision for five-year increases.

Seymours Sell Lumber Co., Hardware Store

The Seymours of Columbus announce this week the sale of the S. K. Seymour lumber yard and hardware store in Columbus, effective May 1st.

The J. D. Seymour, Sam K. Seymour, Jr., Mary Seymour Belev, James Dunn Seymour, Jr., and Sam K. Seymour III (deceased) families have sold the businesses to the Walter Kurth Lumber Co.

The Seymour businesses were founded 98 years ago by J. A. Seymour and were managed for a number of years by S. K. Seymour, Sr., and later by his sons, J. D. and Sam K. Seymour, Jr.

The Seymours extend sincere thanks in an ad on page 12 for the many years of friendship and patronage enjoyed from citizens throughout the county.

Chili Cookoff At Industry May 5

A chili cookoff benefit for Shrine Crippled Children and the Burns Institute will be held Sat., May 5 at the Industry Fireman's Park in Industry.

problems and is working to correct them and trying to make it less unpleasant for the public.

Also present for the session were editors Jim Belcher of Columbus, Buddy Yoder of Weimar and Fred Frnka of Eagle Lake, but they did not offer public comments at the meeting.

Gas Rate

(Continued from page 1)

now the property of the City of Eagle Lake, and also has a number of rural customers in the area.

The company is requesting a Purchase Gas and Tax Adjustment clause to be included in its rates applicable to the rural residential and small commercial sales in order to recover its actual gas and revenue tax costs applicable to these sales. All other sales rates presently contain such a purchase gas adjustment clause and a tax clause is being added.

First Increase Since 1974

The application seeks to increase its base rates to all customers to recover wages, taxes, and other costs, including a reasonable rate of return on its investment, which are not now being recovered through its existing rates. These base rates have not been increased since 1974, a company spokesman said.

A rural residential customer's average monthly bill would increase from \$9.94 per month, without a purchase gas adjustment, to \$22.67 per month under the proposal, including the average cost per Mcf of purchased gas for December 1978.

The city gate rates under this proposal, including the average cost per Mcf of purchased gas for December 1978, would increase by 26.5c per thousand cubic feet of gas.

The typical small rural industrial average monthly bill would increase 13.32% under the proposal, including the average cost/Mcf of purchased gas for December 1978.

Honor Grads

(Continued from page 1)

4.265 average; Madison H. Smith, son of Mr. and Mrs. Cecil A. Smith of Garwood, 4.254 average; Bruno A. Shimek, son of Mr. and Mrs. Lawrence Shimek of Garwood, 4.142 average; Cheryl A. Crabb, daughter of Mr. and Mrs. James Crabb of Eagle Lake, 4.048 average; Jacqueline C. Kallina, daughter of Mr. and Mrs. Joe J. Kallina, Jr., of Garwood, 4.044 average; and Janet Wied, daughter of Mr. and Mrs. R. H. Wied of Nada, 3.994 average.

The valedictorian is a member of FHA, FTA, Business Club, OEA, Outriders, Annual Staff and on the Newspaper Staff. She participated in UIL spelling and ready writing, placed fourth in Area OEA general clerical I and third in district UIL ready writing competition. She was a gold medal winner in the Houston Livestock and Rodeo Art Show and is included in the 1978-79 edition of Who's Who Among American High School Students. She plans to attend Wharton County Junior College to major in business.

Miss Schoellmann is a member of FHA, OEA, Business Club, Outriders, Annual Staff and participated in UIL track and spelling and was on the honor roll for four years. She also plans to attend WCJC to major in business.

Road Problems

(Continued from page 1)

Richter families who filed a petition on Nov. 13th with the Commissioners' Court for designation of a county road across Cullen Ranch property north of Columbus, met with the court to ask action on the road petition.

Judge Lester Cranek noted that the petition was withdrawn on the request of Cullen attorneys pending an attempt to work out some kind of agreement between the ranch and the Richters on keeping the road a private road.

The Richters have declined to sign the agreement, contending that the Cullen Ranch has not maintained the road but once since August, not in conformity with the terms of the agreement.

The court delayed action on the road petition until the May 14th meeting thus enabling the Cullen Ranch an opportunity to present its side of the story to the court.

Public Liability?

County Attorney Don Bandy appeared before the court and recommended that the court not make any payment or commitment to a Schulenburg woman who alleges that she was injured when she reportedly fell on steps at the courthouse. Bandy told the court that in his opinion the county was not negligent and that an apparent dangerous condition does not exist on the steps. A Schulenburg attorney had submitted a claim to the court for a total of between \$1100 and \$1200 for medical services and damages which allegedly resulted from the fall.

The item is due to be placed on the May 14th agenda for definite action by the court.

Increased Salary

The court approved increasing the salary of two part-time, but salaried secretaries, in the county extension offices from \$2.78 per hour to the minimum wage of \$2.90 per hour in conformity with a decision to make such an increase for hourly employees of the county.

The court approved a resolution from the Second 25th Judicial District Court that the county enter into an agreement with the Criminal Justice Dept. of the State of Texas to pay a proportionate share of the salary of a court coordinator. In years past the salary of the coordinator, who is responsible for setting of cases in proper sequence in accordance with the Speedy Trials Act, was paid by the Criminal Justice Dept., but this year the department will pay only 40% of the pay, and the county was asked to pay a pro rata share of \$1450.99 of the salary. The action was approved on a 3-0 vote with precinct 4 Commissioner Bill Stiles abstaining, stating that he thought such requests should be made only at budget time. Judge Cranek indicated that he will point out to the district judge that in the future such requests will be considered only at budget time, unless a dire emergency.

Condemnation Funds

The court authorized County Auditor M. L. Briscoe to place the award made by a commission in the condemnation suit against Jim Youens for a right of way parcel on the rerouting of

Highway 71. The commission, Jim Whitcomb, Sidney Rutta, and Ralph Meadows, awarded Youens \$1.00 over the state appraisal figure of \$7710 for the 1.36 acre parcel.

Judge Cranek informed the court that the \$900 check approved at the April 9th meeting for a bid on a used car from the Parks and Wildlife Department was returned since the car was sold to another bidder for \$2400.

Another Blown Engine

The judge reported that another sheriff's vehicle with over 200,000 miles blew an engine Sunday night. The court voted to purchase a 1976 Department of Public Safety supervisor's car for \$1750 from the DPS. DPS also offered a 1977 black and white patrol unit for \$1750 and another 1976 black and white unit for \$1500. The court voted to purchase the vehicle immediately since the sheriff's department is two vehicles short until such time as a new unit, purchased earlier this year, arrives.

When sheriff Doc Mueller and Chief Deputy Jim Broussard went to get the car Tuesday, they found the 1976 model was not equipped with heavy duty equipment, but instead found a 1977 model with about the same mileage but with heavy duty equipment for the same \$1750. So they purchased the vehicle. Also the board of control agreed to give the car a new paint job as an added bonus.

The court approved some soil conservation work for John Rausch by Precinct 3 Commissioner Crockett Leyendecker, and approved burial of some telephone lines under Schobel Road in Precinct 3.

The court approved an additional payment of \$200 for a building for Justice of the Peace Mary Ordner in Frelsburg. The court was informed at the Apr. 9th meeting that the building for JP Precinct 5 would cost \$1680 but the seller notified the court that the quote did not include delivery and erection at Frelsburg, an additional \$200, upping the price to \$1880.

Health Insurance Tip

The court heard a report that the premiums for health insurance for county officers and employees is going up on April 29th by 3 1/2% for each employee and by 10% for the cost of dependent insurance. The county pays the premium on insurance for officers and employees, the employees for insurance for dependents.

Private Work Illegal

In response to a question from Precinct-1 Commissioner Otto Loessin, Judge Cranek acknowledged that under new state statutes, it is illegal for the county to do such work as paving private property extending from a business, residence or other establishment to a county road or state highway right of way.

It was conceded that in year's past, some of this type of work was done in front of businesses, churches, homes, etc. but under new legislation, such work is now prohibited except in cases of soil and water conservation and is illegal even if for a charitable or church group.

